

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 09-13505

v.

HONORABLE DENISE PAGE HOOD

KRISPEN S. CARROLL,

Defendants.

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**ORDER SETTING ASIDE JUDGMENT ISSUED ON JANUARY 20, 2010**  
**AND**  
**ORDER GRANTING MOTION TO DISMISS IN FAVOR OF DEFENDANTS**

On February 21, 2012, the United States Court of Appeals for the Sixth Circuit issued a mandate in the case, *United States v. Carroll, et al.*, Case No. 10-1400 (6th Cir. Feb. 21, 2012). In a January 30, 2012 Opinion and Judgment, the Sixth Circuit reversed this Court's January 20, 2010 Judgment in favor of the United States. On remand, the Sixth Circuit instructed the Court to grant the motion to dismiss the action for lack of jurisdiction. *United States v. Carroll*, Case No. 1400 (6th Cir. Jan. 20, 2012 Order). Accordingly,

IT IS ORDERED that the January 20, 2010 Judgment [Doc. No. 29] and Order [Doc. No. 28] are SET ASIDE.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss [Doc. No. 13] is GRANTED and this action is DISMISSED for lack of jurisdiction.

S/Denise Page Hood  
Denise Page Hood  
United States District Judge

Dated: July 16, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 16, 2012, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager